

MAR 17 2016

AO 440 (Rev. 06/12) Summons in a Civil Action

## UNITED STATES DISTRICT COURT

for the

Western District of Texas

CAPITAL ONE, N.A., a national association

Plaintiff(s)

v.

601 CONGRESS, L.P., a Texas limited partnership

Defendant(s)

Civil Action No. 1:16-cv-00220-LY

## SUMMONS IN A CIVIL ACTION

To: *(Defendant's name and address)* 601 CONGRESS, L.P., a Texas limited partnership, by serving its Registered Agent,  
 Sheldon David Kahn  
 804 Congress, Suite #300  
 Austin, Texas 78701

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are: Gregory J. Casas  
 Greenberg Traurig, LLP  
 300 West 6th Street, Suite 2050  
 Austin, Texas 78701

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

JEANNETTE J. CLACK  
 CLERK OF COURT



Signature of Clerk or Deputy Clerk

Date: 03/17/2016



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Civil Action No. \_\_\_\_\_

**PROOF OF SERVICE**

*(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (l))*

This summons for *(name of individual and title, if any)* 601 CONGRESS, L.P.  
was received by me on *(date)* 3/17/16

☐ I personally served the summons on the individual at *(place)* \_\_\_\_\_  
on *(date)* \_\_\_\_\_; or

☐ I left the summons at the individual's residence or usual place of abode with *(name)* \_\_\_\_\_  
\_\_\_\_\_, a person of suitable age and discretion who resides there,  
on *(date)* \_\_\_\_\_, and mailed a copy to the individual's last known address; or

☐ I served the summons on *(name of individual)* \_\_\_\_\_, who is  
designated by law to accept service of process on behalf of *(name of organization)* \_\_\_\_\_  
on *(date)* \_\_\_\_\_; or

☐ I returned the summons unexecuted because \_\_\_\_\_; or

☒ Other *(specify):* \_\_\_\_\_

My fees are \$ \_\_\_\_\_ for travel and \$ \_\_\_\_\_ for services, for a total of \$ 0.00

I declare under penalty of perjury that this information is true.

Date: \_\_\_\_\_

\_\_\_\_\_  
*Server's signature*

\_\_\_\_\_  
*Printed name and title*

\_\_\_\_\_  
*Server's address*

Additional information regarding attempted service, etc:

**PROOF OF SERVICE**

**Cause No. 1:16-cv-00220-LY**

UNITED STATES DISTRICT COURT  
for the  
Western District of Texas

CAPITAL ONE, N.A.,  
a national association  
Plaintiff

V.

601 CONGRESS, L.P.,  
a Texas limited partnership  
Defendant

Received by Thomas Process on March 17, 2016, at 04:30 PM.

Executed at 804 Congress, Suite #300, Austin, TX 78701, within the County of Travis at 10:10 AM on March 18, 2016, by delivering to the within named:

**601 CONGRESS, L.P., a Texas limited partnership by delivering to its Registered Agent, SHELDON DAVID KAHN, by and through Associate/ Analyst at Colina West, TODD CRUZ,**

**a true copy of this Plaintiff's Original Complaint including Exhibits A and B, and Civil Cover Sheet, having first endorsed upon such copy of such process the date of delivery.**

I certify that I am approved by the Supreme Court of Texas, Misc. Docket No. 05-9122 under rule 103 and 536(a) of the TRCP to deliver citations and other notices from any District, County, and Justice Courts in and for the State of Texas. I am competent to make this oath; I am not less than 18 years of age, I am not a party to the above-referenced cause, I have not been convicted of a felony or a crime involving moral turpitude, and I am not interested in the outcome of the above-referenced cause.

By: \_\_\_\_\_

Jeff Keyton SCH-735,  
Exp: 7/31/2017

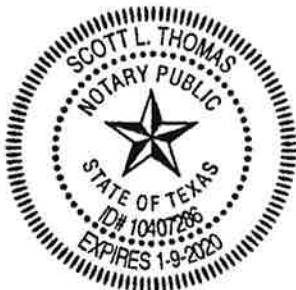
**VERIFICATION**

STATE OF TEXAS       §  
COUNTY OF TRAVIS   §

BEFORE ME, A NOTARY PUBLIC, on this day personally appeared Jeff Keyton, known to me to be the person whose name is subscribed to the foregoing document and, being by me first duly sworn, declared that the statements therein contained are true and correct.

Given under my hand and seal of office this March 22, 2016.

16-019519/Capital One, N.A.



\_\_\_\_\_  
NOTARY PUBLIC, STATE OF TEXAS